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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/068,861	02/11/2002	Tetsuro Motoyama	211636US2	1357
22850	7590	11/02/2005	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			HOSSAIN, TANIM M	
			ART UNIT	PAPER NUMBER
			2145	

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/068,861	Applicant(s) MOTOYAMA ET AL.	
	Examiner Tanim Hossain	Art Unit 2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>7/12/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jeon (U.S. 5,951,684) in view of Richman (U.S. 6,003,097).

As per claim 1, Jeon teaches a method of monitoring an image-forming device by a monitoring device, comprising: realizing a location of the image-forming device; querying the image-forming device for an identity of a manufacturer of the image-forming device; and querying the image-forming device, utilizing the identity of the manufacturer of the image-forming device, for the identity of the model of the image-forming device, if the querying of the image-forming device for the identity of the manufacturer of the image-forming device is successful (column 4, lines 11-59). Jeon does not specifically teach updating of received information into a database. Richman teaches updating in a first database of the image-forming device (column 4 lines 27-55); updating in the first database the identity of the image-forming device (column 4, lines 27-55); establishing a communication means for the image-forming device according to information stored in the first database (column 4, lines 27-55). It would have been obvious to one of ordinary skill in the art at the time of the invention to include a

database for storing the information obtained from the image-forming device, as taught by Jeon in the system of Richman. The motivation for doing so lies in the fact that the storage of information would allow for facilitated manipulation of the information. Both inventions are from the same field of endeavor, namely the auto-configuration of computer objects.

As per claim 2, Jeon-Richman teaches the method of claim 1, wherein if the querying of the image-forming device for the identity of the manufacturer of the image-forming device is successful and the querying of the image-forming device for the identity of the model of the image-forming device is unsuccessful, then the step of establishing a communication means is according to an image-forming communication means that is common to all devices manufactured by the manufacturer of the image-forming device (Jeon: column 4, lines 11-59; Richman: column 6, lines 1-10; column 37; line 59 – column 38, line 10; column 50, line 64 – column 51, line 16).

As per claim 3, Jeon-Richman teaches the method of claim 1, wherein if the querying of the image-forming device for the identity of the manufacturer of the image-forming device is unsuccessful and the querying of the image-forming device for the identity of the model of the image-forming device is unsuccessful, then the step of establishing a communication means comprises establishing an image-forming communication means that is common to all devices (Jeon: column 4, lines 11-59; Richman: column 6, lines 1-10; column 37; line 59 – column 38, line 10; column 50, line 64 – column 51, line 16).

As per claim 4, Jeon-Richman teaches the method of claim 1, wherein if the querying of the image-forming device for the identity of the manufacturer of the image-forming device is unsuccessful and the querying of the image-forming device for the identity of the model of the

image-forming device is unsuccessful, then the step of establishing a communication means comprises establishing an image-forming communication means that is common to at least one manufacturer of image-forming devices (Jeon: column 4, lines 11-59; Richman: column 6, lines 1-10; column 37; line 59 – column 38, line 10; column 50, line 64 – column 51, line 16).

As per claim 5, Jeon-Richman teaches the method of claim 1, wherein if the querying of the image-forming device for the identity of the manufacturer of the image-forming device is unsuccessful and the querying of the image-forming device for the identity of the model of the image-forming device is unsuccessful, then the step of establishing a communication means comprises establishing an image-forming communication means that is common to at least one known model of the identified manufacturer of the image-forming device (Jeon: column 4, lines 11-59; Richman: column 6, lines 1-10; column 37; line 59 – column 38, line 10; column 50, line 64 – column 51, line 16).

As per claim 6, Jeon-Richman teaches the method of claim 1, wherein the step of querying the image-forming device for the identity of the model of the image-forming device utilizes the identity of the manufacturer of the image-forming device to query the image-forming device with model identification codes that are particular to the manufacturer of the image-forming device (Jeon: column 4, lines 11-59; Richman: column 8, lines 1-12).

As per claim 7, Jeon-Richman teaches the method of claim 1, further comprising querying the image-forming device for the unique identification of the image-forming device prior to the step of querying the image-forming device for the identity of the manufacturer of the image-forming device (Jeon: column 4, lines 11-59; Richman: column 7, lines 10-20).

As per claim 8, Jeon-Richman teaches the method of claim 7, wherein the unique identification of the image-forming device is a unique sequence of data designated to the image-forming device by the manufacturer of the image-forming device (Richman: column 8, lines 1-13).

As per claim 9, Jeon-Richman teaches the method of claim 7, wherein the step of updating in the first database the location of the image-forming device includes updating the unique identification of the image-forming device in the first database (Richman: column 4, lines 11-27).

As per claim 10, Jeon-Richman teaches the method of claim 1, but does not specifically teach that the querying is executed by SMNP. It would have been obvious to one of ordinary skill in the art at the time of the invention to include this component, as the use of SMNP to query network objects is extremely well known in the art. The motivation to use this protocol lies in the fact that this would add functionality to the invention by diversifying what protocol can be used.

As per claim 11, Jeon-Richman teaches the method of claim 1, wherein the step of realizing the location of the image-forming device comprises automatically detecting that the image-forming device is electrically coupled to the controlling device (Jeon: column 4, lines 11-59).

As per claim 12, Jeon-Richman teaches the method of claim 1, wherein the step of realizing the location of the image-forming device is accomplished by an input by a user (Richman: column 4, lines 57-65).

As per claim 13, Jeon-Richman teaches the method of claim 1, wherein the monitoring device and the image-forming device are networked computer devices coupled to one another by a network (Jeon: column 4, lines 11-59).

As per claim 14, Jeon-Richman teaches the method of claim 13, wherein the step of realizing the location of the image-forming device comprises detecting, by the monitoring device, that the network location of the image-forming device has changed (Jeon: column 4, lines 11-59; Richman: 4; 57-65).

As per claim 15, Jeon-Richman teaches the method of claim 13, wherein the location of the image-forming device is a network location of the image-forming device on the network (Jeon: column 4, lines 11-59).

As per claim 16, Jeon-Richman teaches the method of claim 13, wherein the network location of the image-forming device is an Internet address (Jeon: column 4, lines 11-59).

As per claim 17, Jeon-Richman teaches the method of claim 1, but does not specifically teach the accessing of the database by an interface independent of the database file format. It would have been obvious to one of ordinary skill in the art at the time of the invention to include this limitation, as it is well known in the art. The motivation for doing so lies in the fact that having multiple interface types being able to access database files would allow the invention to be more diverse and versatile, such that it becomes functional for many interfaces.

As per claim 18, Jeon-Richman teaches the method of claim 17, but does not specifically teach the employment of the ODBC standard. It would have been obvious to one of ordinary skill in the art at the time of the invention to include this component, as it is well known in the art. The ODBC standard is one to which many databases meet.

As per claim 19, Jeon-Richman teaches the method of claim 1, wherein at least a portion of the first database is duplicated on a second database (Richman: 4; 42-55).

As per claim 20, Jeon-Richman teaches the method of claim 19, but does not specifically teach the communication between databases being executed by email. It would have been obvious to one of ordinary skill in the art at the time of the invention to include this functionality, as Jeon-Richman allows for the use of any type of network communications, thus allowing for email.

As per claim 21, Jeon-Richman teaches the method of claim 20, but does not specifically teach the use of SMTP to transmit the email. It would have been obvious to one of ordinary skill in art at the time of the invention to include this functionality, since most email transfers involve the use of SMTP, and is thus very well known.

As per claim 22, Jeon-Richman teaches a monitoring device for monitoring an image forming device, the monitoring device configured to: realize a location of an image-forming device; update in a database the location of the image-forming device; query the image-forming device for an identity of the manufacturer of the image-forming device; updating in the database the identity of the manufacturer of the image-forming device, if the controlling device is unable to obtain the identity of the manufacturer of the image-forming device; query the image-forming device, utilizing the identity of the manufacturer, for an identity of the model of the image-forming device if the controlling device is able to obtain the identity of the manufacturer of the image-forming device; update in the database the identity of the model of the image-forming device, if the controlling device is able to obtain the identity of the model of the image-forming device; and establish a communication means for the image-forming device according to

information stored in the database (Jeon: column 4, lines 11-59; Richman: column 4 lines 27-55; column 6, lines 1-10; column 37; line 59 – column 38, line 10; column 50, line 64 – column 51, line 16).

Claim 23 is rejected on the same basis as claim 1.

As per claim 24, Jeon-Richman teaches a method for a monitoring device to establish a communication means for an image-forming device, comprising: querying the image-forming device for an identity of a manufacturer and the identity of the model of the image-forming device (Jeon: column 4, lines 11-59); establishing a communication means for the image-forming device using a communication means that is common to all image-forming devices of the manufacturer of the image-forming device if the querying of the image-forming device did not identify either the manufacturer and the model of the image-forming device (Jeon: column 4, lines 11-59; Richman: column 6, lines 1-24); establishing a communication means for the image-forming device using a communication means that is common to all image-forming devices of the manufacturer of the image-forming device if the querying of the image-forming device identified the manufacturer of the image-forming device and the querying of the image-forming device did not identify the model of the image-forming device (Jeon: column 4, lines 11-59; Richman: column 5, lines 41-67); and establishing a communication means for the image-forming device using a communication means that is particular to the model of the image-forming device if the querying of the image-forming device identified both the manufacturer and the model of the image-forming device (Jeon: column 4, lines 11-59; Richman: column 5, lines 1-40).

Claims 25 and 26 are rejected on the same basis as claim 24.

Response to Arguments

Applicant's arguments filed on August 17, 2005 have fully been considered and have been respectfully traversed by the new grounds of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tanim Hossain whose telephone number is 571/272-3881. The examiner can normally be reached on 8:30 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571/272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Art Unit 2145



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